

Claims 25, 26, 28, 29, 31, 32, 35 and 41-44 were rejected under 35 U.S.C. §103(a) over JP-A-11-254670 (JP'670) in view of Tago et al. (Tago) U.S. Patent No. 5,508,561. The rejection is respectfully traversed.

Independent claims 25 and 31 (which are the only independent claims) call for the step of forming an actuator unit. For the various reasons discussed during the personal interview, JP'670 and Tago fail to disclose or suggest this step. During the personal interview, the Examiner explained why JP'670's outer electrode 3b discloses the surface electrode and the land of claims 25 and 31. JP'670, which was specifically applied in order to suggest this step, fails to disclose or suggest the surface electrode and the land of claims 25 and 31 for the following reasons:

(1) JP'670 fails to disclose or suggest a surface electrode disposed on a piezoelectric element as called for by claims 25 and 31. JP'670 discloses a piezoelectric element 3. As defined by JP'670, the piezoelectric element 3 has inner and outer electrodes 3a and 3b. Contrary to the explicit disclosure of JP'670, page 3 of the Office Action identifies JP'670's outer electrode 3b as the alleged surface electrode of claims 25 and 31. Applicant disagrees and asserts that this interpretation is contrary to JP'670's explicit disclosure, is not reasonable in view of Applicant's specification, and is not consistent with other prior art.

(2) JP'670 fails to disclose or suggest a surface electrode having a main electrode portion and a connecting portion as called for by claims 25 and 31. During the personal interview, the Examiner identified the main electrode portion and the connecting portion of JP'670's outer electrode 3b. Applicant disagrees with the interpretation provided during the personal interview because JP'670 does not state that the outer electrode has a main electrode portion and a connecting portion. In addition, to assert that JP'670's outer electrode 3b has a main electrode portion and a connecting portion is unreasonable in view of Applicant's specification and the meaning understood by one of ordinary skill in the relevant art.

(3) JP'670 fails to disclose or suggest a land disposed on a piezoelectric element, with the land being electrically connected to the surface electrode as called for by claims 25 and 31. During the personal interview, the Examiner asserted that the top horizontal portion of JP'670's outer electrode 3b is the land and that the land was between JP'670's alleged main electrode portion and connecting portion. Applicant disagrees with this interpretation because JP'670's outer electrode 3b cannot reasonably be considered to include all of a main electrode portion, a connecting portion and a land. This interpretation is not reasonable in view of Applicant's specification and the meaning understood by one of ordinary skill in the relevant art. This interpretation is also not reasonable given that claims 25 and 31 call for the land to be electrically connected to the surface electrode.

Tago fails to overcome the deficiencies of JP'670. Tago is simply being used to suggest the space of claims 25 and 31.

Because of all the noted deficiencies with JP'670, JP'670 and Tago fail to disclose or suggest various other features recited in the claims. For example, as agreed during the personal interview, JP'670 cannot suggest a protrusion made of a thermosetting resin that is formed at least in the connecting portion between the main electrode portion and the land as further called for by claim 25.

In view of the foregoing, it is respectfully requested that the rejection be withdrawn.

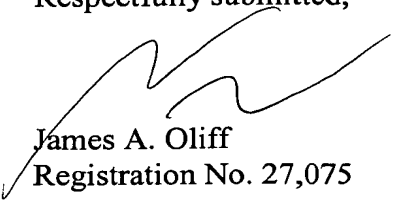
Claims 30, 36 and 40 were rejected under 35 U.S.C. §103(a) over JP'670 in view of Tago and Kishi, U.S. Patent No. 6,095,641. The rejection is respectfully traversed.

Kishi fails to overcome the deficiencies of JP'670 and Tago as applied to claims 25 and 31. It is respectfully requested that the rejection be withdrawn.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

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